

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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MICHAEL SHAW,

Plaintiff,

08-CV-0504A(Sr)

v.

CREDITORS FINANCIAL GROUP,

Defendant.

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**ORDER**

**WHEREAS**, this Court entered a Case Management Order (Dkt. #10), directing the parties to complete fact depositions no later than August 31, 2009 and expert depositions no later than November 30, 2009, and to complete all discovery no later than December 7, 2009; and

**WHEREAS**, this Court extended the deadline for completion of fact depositions to November 30, 2009 by Text Order entered August 26, 2009 (Dkt. #18); and

**WHEREAS**, counsel for the defendant requests a further extension of the Case Management Order because plaintiff's counsel advises he has been unable to contact plaintiff to complete plaintiff's response to defendant's interrogatories or to schedule depositions;

**IT IS HEREBY ORDERED** that the parties appear for a status conference before the undersigned on **Monday, November 16, 2009 at 11:00 AM**; and it is further

**ORDERED** that plaintiff's counsel mail a copy of this Order to the plaintiff at his last known address via certified mail, return receipt requested; and it is further

**ORDERED** that plaintiff appear at the status conference before the undersigned on Monday, November 16, 2009 at 11:00 AM. Plaintiff is forewarned that his failure to appear as directed may result in the dismissal of this action with prejudice pursuant to Fed. R. Civ. P. 41(b).

**SO ORDERED.**

DATED: Buffalo, New York  
October 14, 2009

*s/ H. Kenneth Schroeder, Jr.*  
**H. KENNETH SCHROEDER, JR.**  
**United States Magistrate Judge**